

Amendment No. 1 to Amendment 1 to SB2355

McNally
Signature of Sponsor

AMEND Senate Bill No. 2355*

House Bill No. 2392

by adding the following new items at the end of Section 10:

Item _____. The appropriation made to the Commission on Children and Youth in Section 1 of this act is reduced by the sum of \$64,400. Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. The appropriation made to the Alcoholic Beverage Commission in Section 1, Title III-2, of this act is reduced by the sum of \$35,900. Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. The appropriation made to the Human Rights Commission by Section 1, Title III-2, is reduced by the sum of \$48,000. Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. The appropriation made to the Health Services and Development Agency by Section 1, Title III-2, is reduced by the sum of \$37,400. Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. The appropriation made to the Corrections Institute by Section 1, Title III-2, is reduced by the sum of \$30,000. Such funding reduction is for the purpose of reducing the base appropriation for equipment.

Item _____. The appropriation made to the Tennessee Advisory Commission on Intergovernmental Relations by Section 1, Title III-2, is reduced by the sum of \$8,000. Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. The appropriation made to the Tennessee Arts Commission by Section 1, Title III-2, is reduced by the sum of \$60,300. Such funding reduction is for the purpose of reducing grant funding by the commission.

Item _____. The appropriation made to the General Assembly in Section 1 of this act is reduced by the sum of \$2,000,000 (of such amount \$1,000,000 shall be non-recurring). Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. The appropriation made to the Tennessee State Museum by Section 1, Title III-2, is reduced by the sum of \$112,300. Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. The appropriation made to the Department of Veterans Affairs by Section 1, Title III-2, is reduced by the sum of \$27,300. Such funding reduction is for the purpose of reducing the base appropriation for operational support.

Item _____. From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of funding any general bill or resolution designating an interstate, United States highway or state highway as a memorial highway or memorial bridge for certain government officials or for certain other individuals killed in the line of duty, pursuant to § 54-1-133, that is not otherwise funded in this act.

Item _____. The appropriation made to the Department of Transportation in Section 1 of this act is reduced by the sum of \$350,000,000. Such funding reduction is for the purpose of eliminating funding for bonding for bridge replacement.

Item _____.

(a) The appropriation made to the State Funding Board in Section 1 of this act is reduced by the sum of \$36,200,000. Such funding reduction is for the purpose of reducing the amortization of authorized and unissued highway bonds as a result of eliminating bonding for bridge replacement in the preceding item.

(b) There is hereby appropriated the sum of \$36,200,000 to the Department of Transportation for the highway fund (of which such sum \$29,000,000 shall be federal revenues and \$7,200,000 shall be state transportation funds).

AND FURTHER AMEND by adding the following language as new sections to precede the severability section:

SECTION ____.

(a) Notwithstanding any provision of this act to the contrary, the appropriation to the Department of Health is reduced by \$2,800,000 for HIV AIDS.

(b) In addition to other appropriations made in this act, the amount of \$2,800,000 is appropriated to the Department of Health for the purpose of HIV AIDS if and only if the commissioner of Finance and Administration provides written certification of the availability of federal funds in an amount of at least \$5,000,000, for the purposes of this section, to the chairmen of the Finance, Ways and Means Committees of the Senate and the House of Representatives.

SECTION _____. Notwithstanding any provision of this act to the contrary, the appropriation of \$22,000,000 to the Department of Education for Early Childhood Education made in this act shall be non-recurring.

SECTION _____. In addition to other appropriations made in this act, there is hereby appropriated the sum of \$4,500,000 (non-recurring) to the Department of Children's Services for the purpose of partial restoration of over-commitment reduction.

SECTION _____. In addition to appropriations elsewhere in this act, there is appropriated to the Department of Mental Health and Developmental Disabilities the sum of \$368,700 for the sole purpose of making grants in the specified amounts to the following entities:

- (1) Mental Health Association of Middle Tennessee ☐ TSPN - \$18,000
- (2) Renewal House ☐ \$25,000

(3) Tennessee Voices for Children □ Family Support and Advocacy - \$100,000

(4) Tennessee Voices for Children □ Teen Screen Program - \$60,000

(5) Tennessee Voices for Children □ Tennessee Respite Network - \$88,200

(6) Jason Foundation □ Project TN - \$77,500.

SECTION _____. The allotment of appropriation from the capital program fund for the Department of Environment and Conservation is reduced by the sum of \$6,000,000. The purpose of such reduction is to cancel and eliminate capital outlay and maintenance projects for the Department of Environment and Conservation. The Commissioner of Finance and Administration is authorized to make all necessary adjustments to effectuate the provisions of this section, including reducing debt service in the amount of \$1,067,000.

SECTION _____.

Item 1. The appropriation to the Department of Economic and Community Development is reduced by the amount of \$5,100,000. The purpose of such reduction is to fund such appropriation for training improvements from reserves.

Item 2. To the Department of Economic and Community Development, FastTrack Infrastructure and Job Training Assistance, there is appropriated the sum of \$5,100,000 (non-recurring) from the reserve account of the Tennessee job skills fund created by § 50-7-451, for the purpose of reducing by that amount the appropriation made to the Department of Economic and Community Development in Section 1, Title III-8, Item 4.

SECTION _____. The appropriation made for Tennessee Student Assistance Awards in Section 1, Title III-10, of this act is reduced by the sum of \$3,200,000 (recurring) and reappropriated in the amount of \$3,200,000 (non-recurring) for the purposes of such program.

SECTION _____.

Item 1. Notwithstanding Section 58 or any other provision of this act to the contrary, the following capital outlay projects from the projects listed on page A-133 of the 2009-2010 Budget Document, which were to be funded with bonds in lieu of previously appropriated capital outlay funds, are cancelled:

(a) Middle Tennessee State University Education & Behavioral Science building;

(b) University of Tennessee, Chattanooga Replace Central Energy Plant Boiler;

(c) University of Tennessee Knoxville Cherokee Campus Infrastructure;

(d) University of Tennessee, Chattanooga New Library Building;

(e) University of Tennessee Knoxville Music Center;

(f) University of Tennessee Knoxville Music Building Relocation;

(g) University of Tennessee Knoxville Estabrook Hall Renovation;

(h) University of Tennessee Institute of Agriculture Brehm/Mcleod Buildings Renovation; and

(i) University of Tennessee Memphis Fine Arts Building RNOV and Addition.

Item 2. There is hereby appropriated a sum sufficient to the Department of Finance and Administration for fulfillment of obligations incurred on the projects listed in Item 1 of this section and costs associated with cancelling such projects. The Commissioner of Finance and Administration is authorized to make all necessary adjustments to effectuate the provisions of this section, including reducing debt service in the amount of \$15,367,000.

SECTION ___. Notwithstanding any provision of this act to the contrary, the appropriation to the Department of Health is reduced by \$5,000,000. There is hereby reappropriated the \$5,000,000 appropriation in Chapter 963 of the Public Acts of 2006, in Section 12, Item 48, for indigent and primary care support as non-recurring.

SECTION ___. Notwithstanding any provision of this act to the contrary, the appropriation to the Department of Correction is reduced by \$250,000 for the Criminal Justice Coordinating Council.

SECTION _____. Notwithstanding any provision of this act to the contrary, the appropriation to the Administration Office of the Courts is reduced by \$1,000,000 (non-recurring) for Indigent Defendants Counsel.

SECTION _____. Notwithstanding any provision of this act to the contrary, the appropriation to the Department of Finance and Administration is reduced by \$50,000 for the Coalition on Domestic Violence.

SECTION _____. Notwithstanding any provision of this act to the contrary, the appropriation to the Commission on Aging is reduced by \$80,000 for Self Directed Care Pilot.

SECTION _____. Notwithstanding any provision of this act to the contrary, the appropriation to the Governor's Office of Children's Care Coordination is reduced by \$3,000,000 for the Women's Health Study.

SECTION _____. Notwithstanding any provision of this act to the contrary, the appropriation to the Governor's Office of Children's Care Coordination is reduced by \$1,443,100 for the Infant Mortality Study.

SECTION _____. Notwithstanding any provision of this act to the contrary, the following capital outlay / maintenance projects are cancelled:

- (a) Department of Correction ☐ Turney Center Prototypical Min Housing
- (b) Department of Children's Services ☐ Taft YDC ☐ New Dormitory / Food Services Bldg
- (c) Department of Education ☐ TN School for Deaf Maintenance Access Road
- (d) Department of Military ☐ McKenzie RTC HVAC and Controls Upgrade
- (e) Department of Military ☐ Sparta RTC HVAC and controls Upgrade
- (f) Department of Military ☐ Waynesboro RTC HVAC and Controls Upgrade
- (g) Department of Military ☐ TEMA Knoxville Building 310 Renovation
- (h) Tennessee Board of Regents ☐ TSU Hankel Hall Renovation
- (i) Tennessee Board of Regents ☐ CoSCC Natatorium Renovation
- (j) University of Tennessee ☐ UTK Humanities Complex HVAC
- (k) University of Tennessee ☐ UTM Communications Tower Replacement

(l) University of Tennessee □ UTM Humanities Building HVAC Improvements

Phase II.

The Commissioner of Finance and Administration is authorized to make all necessary adjustments to effectuate the provisions of this section, including reducing debt service in the sum of \$2,821,900.

SECTION ____.

(a) The appropriations made to the Department of Human Services is reduced by the sum of \$6,514,800 (non-recurring) for the purpose of eliminating such non-recurring appropriation for child care for individuals at risk of becoming TANF eligible.

(b) In addition to other appropriations made in this act, there is hereby appropriated the sum of \$3,257,400 (non-recurring) to the Department of Human Services for the purpose of reducing child care for individuals at risk of becoming TANF eligible. It is the legislative intent that the appropriation in this section shall terminate on December 31, 2009.

SECTION _____. Notwithstanding any provision of this act to the contrary, the appropriations made in this section shall be the sole funding for the following items. Any appropriation in another provision of this act which is contrary to a contingent appropriation included in this section shall be null and void. Notwithstanding any provision of this act to the contrary, if and only if state revenue collections for fiscal year 2008-2009 meet or exceed both of the revised budgeted estimates of \$10,172,600,000 for Total Taxes and \$8,327,400,000 for the General Fund for the close of the fiscal year, as certified by the state funding board no later than October 31, 2009, then there is hereby appropriated the following amounts to fund specific actions or projects, to be effective no later than November 1, 2009:

Item 1. The following non-recurring appropriations identified in Volume 2 of the Budget, Base Budget Reductions:

(a) An appropriation of \$400,000 to the court system for the purpose of funding operations for the appellate and trial courts.

(b) An appropriation of \$2,372,300 to the Attorney General and Reporter for the purpose of funding staffing and operations.

(c) An appropriation of \$16,000 to the District Public Defenders Conference for the purpose of funding a support contract with ProLaw Support.

(d) An appropriation of \$16,400 to the District Public Defenders Conference for the purpose of operational expenses including travel, supplies, and professional services.

(e) An appropriation of \$40,100 to the District Public Defenders Conference for the purpose of funding operations.

(f) An appropriation of \$250,000 to the TennCare program for the purpose of funding the Memphis City Schools comprehensive school health program.

(g) An appropriation of \$97,800 to the TennCare program for the purpose of contracting with the University of Tennessee College of Pharmacy for clinical oversight.

(h) An appropriation of \$944,900 to the TennCare program for the purpose of funding the Home and Community-Based Services program.

(i) An appropriation of \$458,200 to the TennCare program for the purpose of upgrading the Medical Management Information System.

(j) An appropriation of \$3,000,000 to the TennCare program for the purpose of funding the Meharry Hospital grant.

(k) An appropriation of \$1,293,100 to the TennCare program for the purpose of funding the Meharry Medical College grant.

(l) An appropriation of \$2,272,800 to the TennCare program for the purpose of funding perinatal grants.

(m) An appropriation of \$866,600 to the TennCare program for the purpose of funding the Governor's Office of Children's Care Coordination.

(n) An appropriation of \$10,400 to the Department of Human Resources for the purpose of server replacement.

(o) An appropriation of \$27,800 to the Department of Human Resources for the purpose of postage.

(p) An appropriation of \$64,900 to the Board of Probation and Parole for the purpose of operating expenses of the community corrections grant programs.

(q) An appropriation of \$1,312,900 to the Department of Tourist Development for the purpose of advertising and marketing services.

(r) An appropriation of \$186,600 to the Department of Economic and Community Development.

(s) An appropriation of \$25,000 to the Department of Economic and Community Development for the purpose of funding business development grants.

(t) An appropriation of \$171,600 to the Department of Economic and Community Development for the purpose of operational costs.

(u) An appropriation of \$52,600 to the Department of Economic and Community Development for the purpose of operational costs.

(v) An appropriation of \$4,000 to the Department of Economic and Community Development for the purpose of a community development grant.

(w) An appropriation of \$560,500 to the Department of Economic and Community Development for the purpose of a community development grant.

(x) An appropriation of \$15,000,000 to the Department of Education for the purpose of extended contract supplements.

(y) An appropriation of \$2,063,000 to the Department of Education for the purpose of school Internet connectivity.

(z) An appropriation of \$47,700 to the Department of Education for the purpose of funding the Little Tennessee Valley Education Cooperative.

(aa) An appropriation of \$2,786,800 to the Department of Education for the purpose of funding public television grants.

(bb) An appropriation of \$750,000 to the Department of Education for the purpose of funding Science Alliance Museum grants.

(cc) An appropriation of \$128,300 to the Department of Education for the purpose of funding the Holocaust Commission.

(dd) An appropriation of \$150,000 to the Department of Education for the purpose of funding an arts academy for teachers.

(ee) An appropriation of \$582,000 to the Department of Education for the purpose of professional development.

(ff) An appropriation of \$4,500,000 to the Department of Education for the purpose of funding Exemplary Educators.

(gg) An appropriation of \$3,463,200 to the Department of Education for the purpose of funding family resource center grants.

(hh) An appropriation of \$30,600 to the Department of Health for the purpose of funding shaken baby syndrome awareness programs.

(ii) An appropriation of \$206,300 to the Department of Health for the purpose of funding the epilepsy program grants.

(jj) An appropriation of \$1,460,600 to the Department of Health for the purpose of contracting with the metropolitan health departments.

(kk) An appropriation of \$860,100 to the Department of Health for the purpose of funding minority health initiative grants.

(ll) An appropriation of \$6,400,000 to the Department of Health for the purpose of diabetes awareness and prevention program grants.

(mm) An appropriation of \$375,000 to the Department of Health for the purpose of funding the poison control center at Vanderbilt University.

(nn) An appropriation of \$423,400 to the Department of Health for the purpose of rapid HIV testing.

(oo) An appropriation of \$541,100 to the Department of Health for the purpose of breast and cervical cancer screenings.

(pp) An appropriation of \$512,400 to the Department of Health for the purpose of funding a chronic renal disease program.

(qq) An appropriation of \$1,605,000 to the Department of Human Services for the purpose of making a direct appropriation grant to Human Resource Agencies and Community Action Agencies.

(rr) An appropriation of \$250,000 to the Department of Human Services for the purpose of converting information systems hardware.

(ss) An appropriation of \$3,060,100 to the Department of Children's Services for the purpose of the Healthy Start program.

(tt) An appropriation of \$500,000 to the Department of Transportation for the purpose of operating the Swipe and Ride Employee Transit Program.

Item 2. An appropriation of \$419,900 to the Department of Economic and Community Development for benefit of the Four Lakes Regional Development Authority.

Item 3. The following non-recurring appropriations:

(a) To the Department of Education, the sum of \$1,000,000 (non-recurring) for a grant to the Save the Children for literacy programs.

(b) To the Department of Tourist Development, the sum of \$3,500,000 (non-recurring) to support the advertising program.

(c) To the Department of Health, the sum of \$2,000,000 (non-recurring) for a grant to Meharry Medical College for the "Wellness for Our Community" Fitness is Our Future program for implementation at historically black colleges and universities in Tennessee.

(d) To the Wildlife Resources Agency, a sum of \$800,000 (non-recurring) for pre-planning expansion to state fish hatcheries. This appropriation shall be funded from general fund revenues and reserves. This appropriation is contingent upon acquisition of property for a fish hatchery by the Wildlife Resources Agency.

Item 4. The Commissioner of Finance and Administration is authorized to allocate the appropriations in this section to the appropriate organizational units and to adjust departmental revenues and authorized positions accordingly.

SECTION ___. If appropriations are not made pursuant to the preceding section, then it is the legislative intent that any resulting savings be used for closing fiscal year 2009-2010, if necessary, to the extent that state revenue collections are less than budgeted estimates.

SECTION ___. To the extent permissible under federal law, any transportation project that has been funded by funds available under U.S. Public Law 111-5, American Recovery and Reinvestment Act, to the extent that the project costs are less than the estimated costs, such difference shall be reappropriated to the Department of Transportation to be used for bridge repair and replacement.

SECTION ___. The Commissioner of Finance and Administration is requested to make all necessary adjustments to revenues, authorized positions and totals as necessary to effectuate the provisions of this act.

AND FURTHER AMEND by deleting Section 47 in its entirety and by substituting instead the following language:

SECTION 47. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2009, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$592,522,400 on June 30, 2009.

Item 2. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2010, the Commissioner of Finance and Administration shall establish the Revenue

Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$568,632,200 on June 30, 2010.

AND FURTHER AMEND by deleting the following language in its entirety from the bill as amended:

SECTION____. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. There hereby is appropriated in fiscal years 2008-2009 and 2009-2010 from state fiscal stabilization funds available under U.S. Public Law 111-5, American Recovery and Reinvestment Act, a sum sufficient to fund appropriations made in Public Acts of 2008, Chapter 1203, and elsewhere in this act, to the extent that state revenue collections in either year are less than the budgeted estimates.

Item 2. Subject to grant-in-aid and audit requirements of U.S. Public Law 111-5, American Recovery and Reinvestment Act, the Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the 2009-2010 work program allotment schedule. If established, said departmental revenue estimates shall be in-lieu of appropriations made in Section 1 of this act from state fiscal stabilization funds in the amounts of \$337,492,900 for education and in the amounts of \$103,133,500 for general purpose (government services). Said appropriations in Section 1 of this act shall be reduced in amounts equal to federal grant-in-aid departmental revenue estimates established pursuant to this authority.

The Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the fiscal year ending June 30, 2009. If established, said departmental revenue estimates shall

be in-lieu of appropriations supported by state fiscal stabilization funds in the amount of \$100,334,800 for education.

and by substituting instead the following language:

SECTION____. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. There hereby is appropriated in fiscal years 2008-2009 from state fiscal stabilization funds available under U.S. Public Law 111-5, American Recovery and Reinvestment Act, a sum sufficient to fund appropriations made in Public Acts of 2008, Chapter 1203, and elsewhere in this act, to the extent that state revenue collections in either year are less than the budgeted estimates.

Item 2.

(a) Subject to grant-in-aid and audit requirements of U.S. Public Law 111-5, American Recovery and Reinvestment Act, the Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the 2009-2010 work program allotment schedule. If established, said departmental revenue estimates shall be in-lieu of appropriations made in Section 1 of this act from state fiscal stabilization funds in the amounts of \$337,492,900 for education and no more than the amounts of \$103,133,500 for general purpose (government services). Said appropriations in Section 1 of this act shall be reduced in amounts equal to federal grant-in-aid departmental revenue estimates established pursuant to this authority.

(b) The Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the fiscal year ending June 30, 2009. If established, said departmental revenue estimates shall be in-lieu of appropriations supported by state fiscal stabilization funds in the amount of \$100,334,800 for education.

Item 3.

(a) The Commissioner of Finance and Administration shall promptly notify the chairmen of the Finance, Ways and Means Committees of the Senate and the House of Representatives in writing of the expected receipt by the state or the availability of any funds described in subsection (b) of this Item.

(b) Notwithstanding any provision of this Act to the contrary, all:

(i) State fiscal stabilization funds available under U.S.

Public Law 111-5, American Recovery and Reinvestment Act; or

(ii) Increases in the federal rate of reimbursement or match in federal programs so that there is less state expense or additional federal funds are available without improving programs; or

(iii) Increases in federal grant funds so that there is less state expense or additional federal funds are available to meet increasing costs without improving programs;

received by the state in excess of amounts expressly appropriated by this Act (herein "Excess Federal Funds"), and any appropriated state funds supplanted or replaced by such Excess Federal Funds, to the fullest extent not prohibited by applicable federal law, shall be expended for the projects listed in subsection (c) of this Item, at the discretion of the State Funding Board.

(c)

(i) The State Funding Board shall expend any Excess Federal Funds available appropriated state funds supplanted or replaced by such Excess Federal Funds on the following Higher Education capital projects, at the discretion of the funding board:

(A) Middle Tennessee State University Education and Behavioral Science building;

(B) University of Tennessee Knoxville Cherokee
Campus Infrastructure;

(C) University of Tennessee, Chattanooga New
Library Building;

(D) University of Tennessee Knoxville Music
Center; and

(E) University of Tennessee Knoxville Music
Building Relocation.

(ii) To the extent that Excess Federal Funds and
appropriated state funds supplanted or replaced by such Excess
Federal Funds are available, and upon the State Funding Board
funding the Higher Education capital projects listed in subdivision
(c)(i) of this Item, then to the fullest extent not prohibited by
applicable federal law, such funds shall be expended for the
following projects, at the discretion of the State Funding Board:

(A) French Broad River Bridge on State Route 32 in
Cocke County;

(B) Caney Fork River Bridge on State Route 26
(Sligo Bridge) in Dekalb County;

(C) French Broad River Bridge on State Route 92
(Dandridge Bridge) in Jefferson County;

(D) Tennessee River Bridge on State Route 73
(U.S. 321, Ft. Loudon Dam Relocated) in Loudon County;

(E) Cumberland River Bridge on Old State Route
25 (A392-Cordell Hull Bridge) in Smith County; and

(F) Cumberland River Bridge on State Route 109 in
Smith County.

(d) Notwithstanding subsection (b) of this Item to the contrary, a portion of Excess Federal Funds and appropriated state funds supplanted or replaced by Excess Federal Funds may be used to issue and sell bonds for a project permissible pursuant to subsection (c) of this item. To the extent that Excess Federal Funds and appropriated state funds supplanted or replaced by Excess Federal Funds are available in an amount not to exceed \$2,000,000, such Excess Federal Funds and appropriated state funds supplanted or replaced by Excess Federal Funds are hereby appropriated to the State Funding Board to be used to fund debt service for any project listed in subsection (c) of this item. The funding board is hereby authorized, empowered and directed to cancel any bonds authorized to be issued pursuant to this subsection (d) of this item to the extent that funds deposited in the general debt service fund for the purpose of paying debt service on higher education or transportation debt have not been expended for such purpose on or before June 30, 2010. All funds from cancelled bonds shall be allocated to the State Funding Board to be used for additional projects listed in subsection (c) of this item.

(e) Any Excess Federal Funds and any appropriated state funds supplanted or replaced by such Excess Federal Funds, not utilized for implementation of subsection (c) or (d) of this item, shall not be expended unless such funds are appropriated by the General Assembly, as reflected by the provisions of the general appropriations act for fiscal year 2010-2011, or any fiscal year thereafter, or by the provisions of a supplemental appropriations act enacted after July 1, 2009.

AND FURTHER AMEND by deleting the following sentence from Section 23:

For the purposes of this paragraph, the term "state revenues", means the proceeds of taxes, licenses, fees, fines, forfeiture or other imposts laid specifically by state law.

and by substituting instead the following:

For the purposes of this paragraph, the term "state revenues" means the proceeds of taxes, licenses, fees, fines, forfeiture or other imposts laid specifically by state law. For purposes of this paragraph, the term "federal revenues" does not include any revenues defined elsewhere in this act to constitute "Excess Federal Funds."

AND FURTHER AMEND by deleting the following language from Section 23:

However, no such expenditure of unanticipated or excess departmental revenues or federal revenues shall occur until written notice of the program and the availability of unanticipated or excess departmental revenues or federal revenues is submitted by the Commissioner of Finance and Administration to the Chairs of the Finance, Ways and Means Committee of the Senate and House of Representatives and until said committee chairs have acknowledged in writing receipt of such written notice; provided, however, that capital outlay program projects, whether capital improvements or capital maintenance, shall be submitted to the State Building Commission to be acknowledged.

and by substituting instead the following:

However, no such expenditure of unanticipated or excess departmental revenues or federal revenues shall occur until written notice of the program and the availability of unanticipated or excess departmental revenues or federal revenues is submitted by the Commissioner of Finance and Administration to the Chairs of the Finance, Ways and Means Committee of the Senate and House of Representatives and until said committee chairs have acknowledged in writing receipt of such written notice; provided, however, that capital outlay program projects, whether capital improvements or capital maintenance (including, but not limited to, construction or maintenance or renovation of highways, bridges, overpasses, causeways, tunnels, retaining walls, rest areas or other transportation-related structures), shall be submitted to the State Building Commission to be acknowledged; provided, further however, if any such new or expanded program is to be funded from such unanticipated or excess departmental revenues or federal revenues while the General Assembly is in session, then such departmental revenues or

federal revenues shall not be expended unless the revenues are appropriated by the General Assembly, as reflected by the provisions of the annual general appropriations act and its revised summaries or as adopted by the General Assembly in a supplemental appropriations act.